

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

DK HEARTSILL, LLC

V.

**TRAVELERS INSURANCE COMPANY
AND RUSSELL SPENCE**

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**CIVIL ACTION NO. 6:21-cv-212
JUDGE ALAN D. ALBRIGHT**

AGREED MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE ALAN D. ALBRIGHT:

NOW COME, DK Heartsill (“Plaintiff”) and file this Agreed Motion to Dismiss with Prejudice all claims asserted by Plaintiff against Phoenix Insurance Company (“Defendant”), and, for cause, would show the Court the following:

That Plaintiff and Defendant have resolved their differences, and Plaintiff requests the Court dismiss with prejudice all claims Plaintiff asserted against Defendant in the above-styled cause, with each party to pay its own court costs.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that his action against Phoenix Insurance Company be dismissed with prejudice, with each party bearing their own costs.

[Signatory Page Below]

Respectfully submitted,

By: /s/ Christopher W. Martin

Christopher W. Martin

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been forwarded to opposing counsel in accordance with the Federal Rules of Civil Procedure on this 1st day of August, 2023.

Jeffrey E. Hansen Hansen & Associates 1101-A North Little School Road Arlington, Texas 76017	Via email: jeff@hansenattorneys.com , jeff@fracing.com , Fax and USPS Mail, CM, RRR.
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/s/ Brad A. Allen
Brad A. Allen